
WELSH STATUTORY INSTRUMENTS

2014 No. 1770

The Town and Country Planning (Non-Material Changes and Correction of Errors) (Wales) Order 2014

Non-material changes to planning permission

2.—(1) Section 96A of the Town and Country Planning Act 1990⁽¹⁾ is amended as follows.

(2) In subsection (1) omit “in England”.

(3) In subsection (5) after “An application under subsection (4)” insert “to a local planning authority in England”.

(4) After subsection (5) insert—

“(5A) A development order may provide that an application under subsection (4) to a local planning authority in Wales must be made—

(a) in the form prescribed by the order or in a form published by the Welsh Ministers; and

(b) in the manner prescribed by the order.”

(5) In subsection (8) after “local planning authority” insert “in England”.

(6) After subsection (8) insert—

“(9) A development order may make provision about how a local planning authority in Wales are to deal with an application under subsection (4) (including provision imposing requirements as to consultation and publicity and as to when steps specified in the order are to be taken).

(10) For the purposes of this section as it applies in relation to Wales, a person has an interest in land only if in relation to that land (or any mineral in, on or under it) the person—

(a) is the estate owner of the fee simple;

(b) is entitled to a tenancy granted or extended for a term of years certain of which not less than two years remain unexpired;

(c) is the mortgagee of any interest or estate in the land; or

(d) is a party to an estate contract within the meaning of section 2(4) of the Land Charges Act 1972⁽²⁾.”

⁽¹⁾ 1990 c.8, section 96A was inserted by the Planning Act 2008 section 190(2).

⁽²⁾ 1972 c.61.